

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	ORDER GRANTING IN PART AND
)	DENYING IN PART THE GOVERNMENT'S
vs.)	MOTION FOR RECONSIDERATION
)	
Howard O. Kieffer,)	
)	Case No. 1:08-cr-054
Defendant.)	

The Defendant made his initial appearance before this court on September 15, 2008, and was arraigned. Thereafter the Court took up the matter of the Government's Motion for Reconsideration AUSA David Peterson appeared on the Government's behalf. Attorney Timothy Purdon appeared on the Defendant's behalf for purposes of the Defendant's initial appearance and arraignment.

The Government filed a motion for reconsideration of the conditions of release previously imposed by the Honorable Raymond L. Erickson, Chief Magistrate Judge for the District of Minnesota. It requested that the Chief Magistrate Erickson's order releasing the Defendant upon execution of an unsecured bond in the sum of \$25,000 be amended so as to require the Defendant to post a \$200,000 cash bond. Next, it requested the imposition of an additional special condition ordering the Defendant not represent to any individual or court that he is either an attorney or "Sentencing Consultant" authorized to represent and/or file documents for any individual in any court proceeding. Finally, it requested that the court order the Defendant to file another financial affidavit.

The Defendant consented the imposition of the special condition requested by the Government. However, he opposed the Government's other requests.

For the reasons articulated by the court at the close of the proceedings, the Government's Motion for Reconsideration is **GRANTED IN PART AND DENIED IN PART**. The court shall amend the conditions of release to incorporate the additional special condition agreed upon by the parties. However, the court shall not require the Defendant to complete a financial affidavit (unless the Defendant requests court-appointed counsel) or require the Defendant to post bond in excess of the amount previously set by Chief Magistrate Judge Erickson.

IT IS SO ORDERED.

Dated this 15th day of September, 2008.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge